IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:23-cv-00665-MR

ANDREW SCOTT MOORE,	
Petitioner,)	ORDER
vs.	<u> </u>
DAVID CASSIDY, Warden,	
Respondent.	

THIS MATTER is before the Court on the Petition for Writ of Habeas Corpus filed by the Petitioner pursuant to 28 U.S.C. § 2254 on October 18, 2023. [Doc. 1]. The Petitioner seeks to challenge his November 2022 conviction from Davidson County, North Carolina. [Id.]. Petitioner is presently incarcerated at the Caswell Correctional Center in Caswell County, North Carolina. [Id.].

State prisoner habeas corpus petitions may be brought either in the federal judicial district in which the state court of the conviction is located or in the district of confinement. See 28 U.S.C. § 2241(d). The Petitioner's place of conviction and place of confinement are both located in the Middle District of North Carolina. As such in accordance with 28 U.S.C. § 2241(d) and joint order of the United States District Courts for the Eastern, Middle

and Western Districts of North Carolina (Joint Order, <u>In re: Applications for Writs of Habeas Corpus</u> (Oct. 26, 1966)), the Court shall transfer this action to the United States District Court for the Middle District of North Carolina.

This Court has not conducted an initial review of the petition and makes no observation as to its merits or timeliness.

IT IS, THEREFORE, ORDERED that:

- 1. This action is transferred to the Middle District of North Carolina.
- 2. The Clerk is instructed to terminate this action.

IT IS SO ORDERED.

Signed: January 10, 2024

Martin Reidinger

Chief United States District Judge